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Programme budget for the biennium 2008-2009

Promotion and protection of the rights of children: promotion and protection of the rights of children

Rights of the child

Programme budget implications of draft resolution A/C.3/63/L.16

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 54 and 72 (b) of draft resolution A/C.3/63/L.16, the General Assembly would:

(a) Take note with appreciation of the work of the Special Representative of the Secretary-General for Children and Armed Conflict, recognize the increased level of activity of her office and the progress achieved since the establishment of the mandate of the Special Representative, and, bearing in mind its resolution 60/231 of 23 December 2005, recommend that the Secretary-General extend the mandate of the Special Representative for a further period of three years;

(b) Request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the progress achieved on the children and armed conflict agenda.

II. Background

2. In its resolution 51/77 of 12 December 1996, the General Assembly recommended that the Secretary-General appoint for a period of three years a Special Representative on the impact of armed conflict on children and called upon States and institutions concerned to provide voluntary contributions in support of

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the work of the Special Representative. The Secretary-General appointed the Special Representative for Children and Armed Conflict in September 1997. The scope of responsibilities of the Special Representative was described in documents A/51/306 and Add.1.

3. On 6 January 1998, the Secretary-General established the Trust Fund for Children and Armed Conflict. During the course of its initial three-year period, the Office of the Special Representative was financed by voluntary contributions.

4. In paragraph 37 of its resolution 51/77, the General Assembly requested the Special Representative to submit to the Assembly and the Commission on Human Rights an annual report containing relevant information on the situation of children affected by armed conflict, bearing in mind existing mandates and reports of relevant bodies. Since 1996, in a number of its resolutions, the Assembly has reiterated that request, while welcoming the continuing support for and voluntary contributions to the work of the Special Representative in the fulfilment of the mandate.

5. In its resolutions 54/149 of 17 December 1999 and 57/190 of 18 December 2002, the General Assembly recommended that the Secretary-General extend the mandate of the Special Representative for a further period of three years. In paragraph 3 of section V of resolution 57/190, the Assembly also requested the Secretary-General to undertake a comprehensive assessment of the scope and effectiveness of the United Nations system response, including recommendations for strengthening, mainstreaming, integrating and sustaining those activities.

6. In its resolution 58/245 of 23 December 2003, the General Assembly decided that the activities under the mandate of the Special Representative should be supported through regular budget funding. Before the adoption of that resolution, the Fifth Committee had decided to inform the Assembly that, should it adopt the resolution, any appropriations necessary would be considered in the context of the report to be submitted by the Secretary-General pursuant to section V of Assembly resolution 57/190 (see A/58/652).

7. The report of the Secretary-General on the comprehensive assessment of the United Nations system response to children affected by armed conflict (A/59/331) was issued on 3 September 2004. In that report, the Secretary-General provided, inter alia, recommendations for strengthening the United Nations system response to children affected by armed conflict.

8. In paragraph 51 (c) of its resolution 59/261 of 23 December 2004, the General Assembly decided to request the Special Representative to continue to submit reports to the Assembly and the Commission on Human Rights and to ensure that they contained relevant, accurate and objective information on the situation of children affected by armed conflict, taking into account the views of Member States and the outcome document adopted by the Assembly at its special session on children and bearing in mind existing mandates and reports of relevant bodies.

9. In adopting resolution 59/261, the General Assembly also approved resources pertaining to the maintenance of operations of the Office of the Special Representative in 2005 from the regular budget.

10. The General Assembly, in its resolution 60/231 of 23 December 2005, recommended that the Secretary-General extend the mandate of the Office for a

further period of three years effective 1 January 2006. Accordingly, regular budget provisions have been provided for the Office under the programme budgets for the biennium 2006-2007 and through 31 December 2008.

III. Activities through which the requests would be implemented

11. The recommendation to extend the mandate of the Special Representative for a further period of three years, and the continuation of reporting to the General Assembly and the Human Rights Council on the progress achieved and the challenges remaining on the children and armed conflict agenda, requested in operative paragraphs 54 and 72 (b), respectively, of draft resolution A/C.3/63/L.16, would reflect the continuation of the mandate of the Special Representative, described in paragraphs 36 and 37 of Assembly resolution 51/77. The extension and reporting requirement would require that necessary support be provided for effective performance of the mandate of the Office. In this regard, necessary resources would be required in order to further maintain, in 2009, 2010 and 2011, the Office of the Special Representative, which has been responsible, inter alia, for the preparation of the reports for the past several years.

12. Key elements of the mandate of the Special Representative are:

(a) To serve as a moral voice and independent advocate for the protection and well-being of children affected by armed conflict;

(b) To advocate for, build awareness about and give prominence to the rights and protection of children affected by armed conflict;

(c) To work with partners to propose ideas and approaches for enhancing the protection of children and for promoting a more concerted protection response;

(d) To undertake humanitarian and diplomatic initiatives to facilitate the work of operational actors on the ground including the promotion of international cooperation.

13. In pursuing the objectives of the programme of work, the Office of the Special Representative will pursue the following strategic approaches:

(a) Monitoring the situation of children affected by armed conflict and reporting to the General Assembly, the Security Council and other destinations for action, including the Human Rights Council and the International Criminal Court;

(b) High-level advocacy to promote awareness of and support for global initiatives to end grave violations against children affected by armed conflict;

(c) Working in consultation and partnership with key stakeholders, including Member States, regional organizations, United Nations systems partners, civil society organizations and non-governmental organizations, with a view to mainstreaming concerns in the area of children and armed conflict into the policy and strategic considerations of those bodies;

(d) Creating awareness about other protection issues related to children and armed conflict, including post-conflict situations and the specific needs of internally displaced children, the girl child and other emerging concerns.

14. In its most recent resolution on the subject, resolution 1612 (2005) of 26 July 2005, the Security Council requested the Secretary-General to implement a comprehensive monitoring and reporting mechanism on children and armed conflict, and decided to establish a working group of the Council to review the reports stemming from the mechanism, thereby increasing the Council's engagement in the area of children and armed conflict. The Office of the Special Representative has been given responsibility for drafting, in consultation with key partners, the Secretary-General's annual reports to the Council on children and armed conflict as well as for the final preparation of the Secretary-General's reports to the Council's Working Group on Children and Armed Conflict. The Special Representative, as convener of the Task Force on Children and Armed Conflict, ensures that the compilation of reports is undertaken through a consultative process and that timely, reliable and high-quality reports are prepared.

15. At the time of the renewal of the mandate in 2005, the Office was responsible for preparing only three system-level reports per year, that is to say, one submitted to the Security Council, one to the General Assembly and one to the Human Rights Council. However, pursuant to Security Council resolution 1612 (2005), the number of reports submitted to the Security Council has increased significantly. In addition to the three reports mentioned above, it is estimated that in 2009 an additional 11 reports, including country-specific reports, will be required. In addition, the resolution has increased the burden imposed on the Office with respect to preparing and executing field missions to Security Council priority situations, and intensive follow-up of its formal decisions in relation to these situations. When called upon, the Special Representative also serves as a facilitator, undertaking humanitarian and diplomatic initiatives to foster international cooperation and facilitate the work of operational actors on the ground with regard to children and armed conflict.

16. Field visits by the Special Representative have been a central element of her advocacy strategy for bringing high-level visibility to the situation and rights of children affected by armed conflict. Accordingly, country visits by the Special Representative would be undertaken for the purpose of meeting with Government officials, parties to conflict, the country teams and civil society organizations so as to enable her to observe first-hand the situation of children affected by armed conflict, which is essential for the fulfilment of the mandate of the Office.

17. The Special Representative's advocacy strategy also includes media outreach, events, briefings to schools and universities, and the maintenance of a website. The website of the Office is online in the six official languages of the United Nations and serves as a platform of references on children and armed conflict issues for United Nations partners, Member States, non-governmental organizations, the media and the public at large.

IV. Estimates of additional requirements

18. Currently, funding for the Office has been provided for 2008 only under the programme budget for the biennium 2008-2009, in accordance with the current mandate of the Office. The extension of the mandate would require additional resources for the Office of the Special Representative for 2009 in the amount of $2,194,300 gross ($1,965,500 net). The provision would reflect the continuation of the current staffing complement which comprises the Special Representative

(Under-Secretary-General), a Senior Adviser (P-5); two Professional staff (P-4) responsible for day-to-day relations with United Nations entities and non-governmental organizations, as well as for assisting in the preparation of reports; one Professional staff member (P-3) responsible for outreach and public information; and three support staff (one General Service (Principal level) and two General Service (Other level)). In addition, two new Professional posts (one P-4 and one P-3) are being requested to strengthen the Office in order to meet the increased level of activities including monitoring, reporting, field visits and follow-up, as requested by the Security Council within the framework of Council resolution 1612 (2005). The cost of these 10 temporary posts would amount to $1,389,500, net of staff assessment.

19. The Office of the Special Representative would also be provided with adequate resources to cover field visits and other cooperation and coordination trips, consultancies and other office operations, commensurate with the structure and functions. The table below provides information on the estimated resource requirements for post and non-post resources (inter alia, consultants and experts, operating expenses, travel, etc.).

Resource requirements for 2009 (net)

	United States dollars
Post	1 389 500
Non-post	576 000
Total	**1 965 500**

20. Accordingly, in order to maintain the Office during 2009, additional provision of $1,965,500 (net) would need to be provided from the programme budget for the biennium 2008-2009. In addition, it is estimated that $228,800 would be required for staff assessment, to be offset by the same amount under income from staff assessment.

21. The resource requirements for the operation of the Office in 2010 and 2011 would be considered in the context of the proposed programme budget for the biennium 2010-2011.

V. Potential for absorption and contingency fund

22. There are no resources provided under the programme budget for the biennium 2008-2009 that could be made available for the support of the operations of the Office of the Special Representative in 2009. Any amount that the General Assembly may decide to allocate in support of the Office of the Special Representative would therefore need to be provided through an additional appropriation for the biennium 2008-2009 in the context of operations of the contingency fund.

23. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditure derived from legislative mandates not provided

for in the programme budget. Under this procedure, if additional expenditures were proposed that exceeded the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

VI. Action required by the General Assembly

24. **Should the General Assembly adopt draft resolution A/C.3/63/L.16, additional resource requirements of $2,194,300 gross ($1,965,500 net), relating to the terms of operative paragraphs 54 and 72 (b) of the draft resolution, would arise under the programme budget for the biennium 2008-2009. This would represent a charge against the contingency fund and, as such, would require an additional appropriation for the biennium 2008-2009.**